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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT
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Middle PA (Harrisburg) Clerk of District Court
(District)

Date 6/28/02

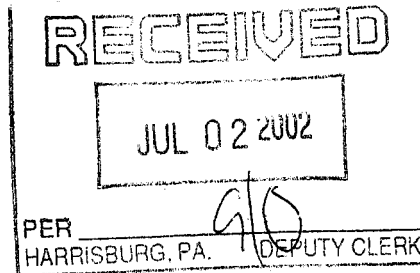
Jae v. Clark
(Caption)

C. of A. No. 01-1803

John Richard Jae
(Appellant)

Civil No. 00-cv-01090 (SHR)
(D.C. No.)

Enclosures:



6/28/02 Certified copy of C. of A. Order by the Court/XXXXX
(Date)

Released (Record) (Supplemental Record - First - Second - Third)

Copy of this form to acknowledge receipt and return to C. of A.

Record not released at this time until appeal(s) closed at No. (s)

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The certified copy of order issued as the mandate on _____
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BPS-197

May 31, 2002

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 01-1803

JOHN RICHARD JAE

vs.

DR. ROBERT CLARK, ET AL.

(M.D. Pa. Civ. No. 00-cv-01090)

FILED
HARRISBURG, PA

JUL 02 2002

MARY E. D'ANDREA, CLERK
Per JL

Present: ALITO, McKEE and ALDISERT, CIRCUIT JUDGES

Submitted are:

- (1) Appellant's motion for leave to appeal in forma pauperis and affidavit in support thereof, pursuant to Rule 24, Federal Rules of Appellate Procedure; and
- (2) Appellees' response

in the above-captioned case.

Respectfully,

Clerk

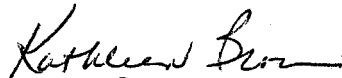
MMW/CAV/jle

ORDER

The foregoing motion to proceed in forma pauperis is denied. Appellant has had at least three prior cases dismissed as frivolous. See Jae v. Glenny, et al., M.D. Pa. Civ. No. 98-cv-1515, Jae v. Long, et al., M.D. Pa. Civ. No. 98-cv-115, Jae v. Horn, et al., M.D. a. Civ. No. 98-cv-114. Appellant has failed to show that he was "under imminent danger of serious physical injury" at the time he filed this appeal. See 28 U.S.C. § 1915(g); Abdul-Akbar v. McKelvie, 239 F.3d 307, 313 (3d Cir. 2001) (en banc). If he wishes to proceed with the appeal, appellant shall pay to the District Court the entire appellate filing and docketing fee of \$105.00 within 14 days of the date of this Order. Failure to pay the fees within that time will result in the dismissal of this appeal. See 3d Cir. LAR 107.1(a).

By the Court,

A TRUE COPY:


Kathleen Brouwer,
Chief Deputy Clerk



Circuit Judge

Dated: 28 JUN 2002

Am/cc: JAS
TOY
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